

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

CHAD STONE,

Plaintiff,

vs.

MIKE LINDER,

Defendant.

CV-23-96-BLG-SPW-TJC

ORDER ADOPTING  
MAGISTRATE'S FINDINGS  
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on March 24, 2025. (Doc. 5). The Magistrate recommended that Plaintiff's Fourteenth Amendment and § 1983 claims be dismissed pursuant to Federal Rule of Civil Procedure 41(b). (*Id.* at 2–5).

Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir.


2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 5) are ADOPTED in full.

IT IS FURTHER ORDERED that:

1. Plaintiff's Fourteenth Amendment and § 1983 claims are DISMISSED. Fed. R. Civ. P. 41(b).
2. The United States Marshal shall serve Plaintiff's Complaint and summons. Fed. R. Civ. P. 4(c)(3).
3. The above-captioned case shall remain referred to United States Magistrate Judge Cavan who will conduct all necessary hearings and submit to the undersigned proposed findings of fact and recommendations for the disposition of all motions excepted from the Magistrate Judge's jurisdiction by 28 U.S.C. § 636(b)(1)(A).

DATED this 11<sup>th</sup> day of April, 2025.

  
SUSAN P. WATTERS  
United States District Judge